

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q77546

Dieter BRUECKNER, et al.

Allowed: January 27, 2009

Appln. No.: 10/825,669

Group Art Unit: 2419

Confirmation No.: 8501

Examiner: Nima MAHMOUDZADEH

Filed: April 16, 2004

For: SUBSCRIBER DEVICE FOR A HIGH PERFORMANCE COMMUNICATION SYSTEM

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**ATTN: MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REMARKS**

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated January 27, 2009. Even though the application includes three independent formulations of the invention, the Reasons for Allowance paraphrase only claim 1 and claim 9. Accordingly, while the Statement appears to be an accurate statement of reasons for allowing claims 1 and 9, the statement is deficient by failing to acknowledge that claim 17 was allowed for independent reasons.

Also, Applicant notes that independent reasons, other than those cited by the Examiner, exist for the allowability of the claims.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain

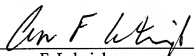
STATEMENT OF REASONS FOR ALLOWANCE  
U.S. Application No.: 10/825,669

Attorney Docket No.: Q77546

Types of Papers Filed After a Notice of Allowance Has Been Mailed,” 1247OG111 (6/26/01), “a response to the examiner’s reasons for allowance” is an example of a paper that does “not cause substantial interference and delay in the patent issue process” and is “not considered a ‘failure to engage in reasonable efforts’ to conclude processing or examination of the application.”

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated January 27, 2009.

Respectfully submitted,

  
George F. Lehnigk  
Registration No. 36,359

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

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